

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re:)	Bankruptcy No. 15-24514-GLT
Valerian A. Karlski and)	
Renee J. Karlski,)	
)	Chapter 13
Debtors.)	
<hr/>		
Valerian A. Karlski and,)	
Renee J. Karlski,)	Related to Document Nos. 183, 188
)	
Movant,)	
)	
v.)	Hearing Date and Time:
)	April 8, 2020 at 11:30 a.m.
JP Morgan Chase Bank, N.A.))	
)	
Respondent.)	

DEBTORS' REPLY TO RESPONSE TO NOTICE OF FINAL CURE PAYMENT

AND NOW come the above-captioned Debtors, by and through their counsel, Brian C. Thompson, Esquire, the law office of Thompson Law Group, P.C., and file this Reply to Response to Notice of Final Cure Payment representing as follows:

1. On August 18, 2019, Debtors filed an Amended Plan that would close out the Debtor's case prior to the 60-month statutory maximum plan term. An Order was entered scheduling a hearing on the Amended Plan, and that Order, along with the Amended Plan, were serve on JP Morgan Chase Bank, N.A. (JP Morgan Chase Bank).
2. The August 18, 2018 Order set a response deadline of September 19, 2019. No responses or objections to the Amended Plan were filed or otherwise received.
3. A hearing on the Amended Plan was held on September 26, 2019. As noted on the Trustee's Conciliation Minutes filed at Document No. 169, no one appeared at the hearing on behalf of JP Morgan Chase Bank.
4. At the September 26, 2019, Debtors' Amended Plan was confirmed by the Trustee based on her calculation of a term of 45 months with Debtor resuming payments to JP Morgan Chase Bank starting November 2019.

5. The Order confirming the Amended Plan dated September 26, 2019 at Document No. 168 was served on JP Morgan Chase Bank. No action was taken by JP Morgan Chase Bank to appeal the Confirmation Order or otherwise seek reconsideration of same.
6. The Trustee filed the Notice of Final Cure Payment on March 3, 2020 at Document No. 183 indicating that the Debtor has cured the pre-petition default of the JPMorgan Chase Bank claim No. 14-2 and completed all payments under the plan with the next post-petition payment due for November 1, 2019.
7. On March 25, 2020 at Document No. 188 JP Morgan Chase filed a Response to Notice of Final Cure Payment indicating agreement that the Debtor has cured the prepetition default. However, the Response also indicated disagreement that the Debtors are not current on all post-petition payments as of March 23, 2020.
8. The JP Morgan Chase Response is non-responsive to the Trustee's Notice of Final Cure because it bases the determination on post-petition Plan payments in accordance with §1322(b)(5) as of March 23, 2020. However, the Trustee's Notice of Cure set forth that the Trustee had made all payments through October 30, 2019, with the Debtor resuming payments to JP Morgan Chase Bank as of November 2019. Since the Plan term was for 45 months, JP Morgan Chase Bank's Response erroneously purports to include months not covered by §1322(b)(5) as required for proper determination.
9. Nevertheless, it appears that Debtors have nevertheless made all required payments from November 1, 2019 to date and should be current on their JP Morgan Chase Bank as of March 23, 2020. Debtors therefore seek a determination that they are current on all payments required after the Amended Plan payments in accordance with §1322(b)(5) ended on October 30, 2019.
10. The Debtor also joins the Trustee in her Reply filed on March 30, 2020 at Document No. 192.
11. Additionally, at some point the Debtors were relieved by the Commonwealth of Pennsylvania from the obligation to pay property taxes. It is believed that even after that obligation was relieved, Debtors nevertheless made some additional payments that included amounts for

property taxes that were no longer owed. To that extent, Debtors may have, in fact, overpaid on their post-petition §1322(b)(5) obligations and are concerned how those overpayments were applied if JP Morgan Chase is now alleging that there is a deficiency balance as of March 23, 2020.

WHEREFORE, Debtors respectfully request that this Court determine that all required payments under the confirmed Amended Plan were made and that Debtors are additionally current on all obligations to Respondent as of March 23, 2020.

Executed on: April 1, 2020

s/Brian C. Thompson
Brian C. Thompson, Esquire
PA I.D. # 91197
THOMPSON LAW GROUP, P.C.
125 Warrendale Bayne Rd., Suite 200
Warrendale, PA 15086
(724) 799-8404 Telephone
(724) 799-8409 Facsimile
bthompson@thompsonattorney.com